



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/715,453 | 11/17/2000 | James M. Dunn | 6169-134 | 5681 |
| 40987 | 7590 | 03/21/2006 | EXAMINER | |
| AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188 | | | ZHONG, CHAD | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2152 | |
| DATE MAILED: 03/21/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/715,453 | DUNN ET AL. | |
| | Examiner | Art Unit | |
| | Chad Zhong | 2152 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-26, 32-42 and 44-52 is/are pending in the application.
- 4a) Of the above claim(s) 27-31 and 53-58 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-26, 32-42 and 44-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

OFFICE ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/13/2006 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 7, 14-20, 22, 32-33, 38, and 45-51 are rejected under 35 U.S.C. 102(e) as being unpatentable over Ferguson, US 2002/0178232, in view of Altschuler et al. (hereinafter Altschuler), US 6,088,718.

4. As per claims 1 and 32, Ferguson teaches a hypermedia content presentation method comprising: presenting hypermedia content, said hypermedia content containing hyperlinks to additional hypermedia content (Ferguson, abstract, [0006], wherein the hypermedia contents are presented in web browsers);

responsive to a user selecting at least one of said hyperlinks (Ferguson, [0006], user select links by drag and drop), storing user selected ones of said hyperlinks in a delayed viewing list (Ferguson, [0006], the Q-links list is the delayed viewing list); and

caching hypermedia content associated with said stored hyperlinks during said presenting step

Art Unit: 2152

(Ferguson, [0006], wherein the associated web contents such as various documents are cached locally);

wherein the hypermedia content is presented to a user during said receiving, storing and caching steps (Ferguson, see for example, [0006], wherein these processes occur in the background and does not interfere with other processes).

Ferguson does not explicitly teach:

organized cached hypermedia content into a series of topic folders corresponding to different topics; and

storing delayed viewing list entries in said series of topic folder, wherein each entry is stored in a topic folder containing associated hypermedia content.

In a similar system, Altschuler teaches the concept of establishing a set of folders/categories/attributes having an associated topic and downloading said hypermedia content to selected ones of said set of folders, each folder in said set containing hypermedia content corresponding to a topic associated with said folder, (Altschuler, Col. 34, lines 5-21; Col. 38, lines 20-35; Col. 35, lines 33-40; Col. 34, lines 40-45, where the categories or 'attributes' are grouped together by their corresponding groups, i.e. sports and news groups are grouped separately)

It would have been obvious to one of ordinary skill in this art at the time of invention was made to incorporate Altschuler with Ferguson because the combination would improve the latency for Ferguson's system by grouping likely contents together, thus when time comes to utilize cached information, searches in the related categories would decrease the search time to present to the client a faster generated result page, thus dimension reduction is achieved by grouping of similar pre-fetched items in effort to cut down on search time.

6. As per claims 2 and 33, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including reconfiguring said stored hyperlinks to point to said cached hypermedia content (Ferguson, this is inherent, as cache get filled up with content retrieved prior to viewing, the link that is to

Art Unit: 2152

be activated by the client would then be pointing to the cache for efficient retrieval, this is suggested in [0006]).

7. As per claims 7 and 38, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including said caching step comprises caching hypermedia content in a local cache communicatively linked to said content browser (Ferguson, [0006]) and disposed within a client executing the content browser (Ferguson, [0006]).

8. As per claim 19 and 50, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including selecting hyperlinks in said delayed viewing list (Ferguson, [0006]); and, adding said selected hyperlinks to a list of bookmarks in a content browser (Ferguson, [0206]).

9. As per claim 22, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including teaches a hypermedia content presentation system comprising:

a content browser for presenting hypermedia content to a user ([0006]);

a means for the user to select at least one hyperlink from within the content browser while the hypermedia content is displayed to the user ([0006], drag and drop the links);

a content cache for storing further hypermedia content related to said hypermedia content presented in said content browser ([0006], wherein the caching of contents is done locally, additionally, the browsers inherently has a browser cache storing hypermedia contents, webpages are downloaded via HTTP servers to the local browser wherein the Webpage is temporarily stored in the browser cache for local viewing of the webpage contents);

a delayed viewing list for storing hyperlinks to said further hypermedia content in said content cache, said hyperlinks contained in said hypermedia content presented in said content browser, wherein said delayed viewing list is dynamically created responsive to user selections of hyperlinks that have been

Art Unit: 2152

presented within the content browser (abstract, [0006], based upon user selection of hyperlinks, further contents are downloaded in the background, and the list of links are stored as the Q-Links); and

a delayed viewing list manager ([0171], the drag and drop manager);

said delayed viewing list manager downloading said further hypermedia content to said content cache during said presentation of said hypermedia content in said content browser without a view currently presented in the content browser from being relinquished ([0171-0172], table 10, wherein the processes do not interfere with other processes as they are accomplished as part of the background processes).

the remainder of claim 22 is rejected for the same reasons as rejection to claim 1 above.

10. As per claims 14 and 45, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including said storing step further comprises:

associating expiration data with each hyperlink in said delayed viewing list (Ferguson, [0167], expiration data is the oldest data file);

purging hyperlinks from said delayed viewing list based on said expiration data (Ferguson, [0167], oldest link gets deleted first).

11. As per claim 16, and 47, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including manually managing selected hyperlinks in said delayed viewing list ([0167]).

12. As per claims 18 and 49, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including, further comprising:

selecting hyperlinks in said delayed viewing list (Ferguson, [0006]); and

presenting cached hypermedia content associated with said selected hyperlink (Ferguson, [0006], wherein the cached local contents are displayed to the user).

Art Unit: 2152

13. As per claims 20, 51, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including further comprising manually managing said cached hypermedia content (Ferguson, [0167]).

14. As per claims 15, 17, 46, 48 are rejected for the same reasons as rejection to claim 14 above.

15. Claims 5, 6, 8, 21, 24, 25, 36, 37, 39, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson – Altschuler, as applied in claims 1, 22, and 32 above, in view of Mighdoll et al. (hereinafter Mighdoll), US 5,918,013.

16. As per claim 5 and 36, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including, wherein said content is presented in an uninterrupted manner during said receiving, storing, and caching steps (Ferguson, [0006], wherein these processes occur in the background and does not interfere with other processes occurring in the system. Furthermore, it should be noted that even multimedia contents, files/videos are still files that's being transferred from point A to point B).

However, Ferguson – Altschuler does not explicitly teach:

Displaying audiovisual television content combined with hypermedia content in a television set, said audio visual content comprising a video stream, wherein said video stream is presented in an uninterrupted manner during said receiving storing and caching steps.

In a similar system, Mighdoll teaches wherein said presenting step comprises displaying audiovisual television content combined with hypermedia content in a television set (Mighdoll, Col. 4, lines 15-25).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate teachings of Mighdoll with Ferguson – Altschuler because the combination would result in expanding the computing capabilities from a computer to form of a television system.

Art Unit: 2152

17. As per claims 8 and 39, Ferguson – Altschuler disclose the invention substantially as rejected in claim 6 above, including said caching step comprises:

evaluating available system resources (Ferguson, [0175]),

Ferguson – Altschuler does not explicitly teach:

based upon said evaluation, caching said further hypermedia content in a proxy cache where downloading said further hypermedia content to a local cache can constrain local resources

In a similar system, Mighdoll teaches the concept of a system evaluating local server system resources and if the server system becomes overloaded, bypass onto other server/proxy systems to alleviate the burden on the current server system (Mighdoll, Col. 13, lines 46-60, wherein the local resources are limited, and proxy cache is to cache as much information as it can handle to alleviate the load on the local client).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate Mighdoll with Ferguson – Altschuler because the combination, would result in enhancing the cache's load balancing capability in Ferguson – Altschuler's system.

18. As per claims 6 and 37, Ferguson – Altschuler – Mighdoll disclose the invention substantially as rejected in claim 1 and 32 above, including wherein said caching step comprises caching hypermedia content in a server remotely located from and communicatively linked to said content browser.

(Mighdoll, Col. 13, lines 46-60, wherein the local resources are limited, and proxy cache is to cache as much information as it can handle to alleviate the load on the local client).

20. As per claims 21 and 52, Ferguson – Altschuler - Mighdoll disclose the invention substantially as rejected in claim 1 above, including:

determining if a selected hyperlink is associated with hypermedia content having a limited lifetime;

if it is determined that a selected hyperlink is associated with hypermedia content having a limited lifetime, identifying further hypermedia content necessary for viewing said hypermedia content having a limited lifetime, and downloading said hypermedia content having a limited lifetime and said necessary further hypermedia content (Mighdoll, Col. 11, line 50 – Col. 12, line 25).

21. As per claim 24, the claim is rejected for the same reasons as rejection to claim 5 above.

22. As per claim 25, Ferguson – Altschuler – Mighdoll disclose the invention substantially as rejected in claim 1 above, including the hypermedia content presentation system of claim 22, wherein said content cache is a proxy cache communicatively linked to said content browser (Mighdoll, Col. 13, lines 46-60).

23. Claims 9, 26, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson – Altschuler, as applied to claims 1, 22, and 32 above, in view of Spilo (hereinafter Spilo), US 6,601,091.

23. As per claims 9 and 40, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including said caching step comprises:

evaluating available system resources [0175]; and,

Ferguson – Altschuler does not explicitly teach:

based upon said evaluation, downloading said hypermedia content associated with said stored hyperlinks to a hypermedia content cache when said system resources are available, and delaying said downloading when said system resources are constrained.

In a similar system, Spilo teaches the concept of evaluating available system resources (Spilo, Col. 5, lines 47-55); and based upon said evaluation, downloading said hypermedia content associated with said stored hyperlinks to a hypermedia content cache when said system resources are available, and delaying said downloading when said system resources are constrained (Spilo, Col. 5, lines 50-55).

Art Unit: 2152

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate Spilo with Ferguson – Altschuler because the combination would enhance the efficiency of Ferguson – Altschuler’s system by saving usage of limited system resources.

24. As per claim 26, Ferguson – Altschuler – Spilo disclose the invention substantially as rejected in claim 1 above, including said delayed viewing list manager further comprises:

a resource sensitive downloading agent (Spilo, Col. 5, lines 47-52);

said resource sensitive downloading agent monitoring available system resources (Spilo, Col. 5, lines 47-52);

said resource sensitive downloading agent downloading said further hypermedia content to a content cache when system resources are available (Spilo, Col. 5, lines 47-55);

said resource sensitive downloading agent delaying said downloading when said system resources are constrained (Spilo, Col. 5, lines 50-55).

25. Claims 10, 11, 13, 41, 42, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson - Altschuler, as applied to claims 1, 22, and 32 above, in view of Helfman, US 6,119,135.

26. As per claim 10 and 41, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, but does not explicitly teach said caching step comprises:

configuring a page depth to which said hyperlinks in said hypermedia content associated with said stored hyperlinks can be followed;

downloading said hypermedia content associated with said stored hyperlinks, said downloaded hypermedia content containing additional hyperlinks to further hypermedia documents;

further downloading said further hypermedia documents, said further hypermedia documents containing further hyperlinks to even further hypermedia documents; and,

repeating said further downloading step until reaching said configured page depth.

In a similar system, Helfman teaches the concept of configuring a page depth and the extent to which a downloading of further hyperlinks is followed (Helfman, Col. 6, lines 43-52).

It would have been obvious to one of ordinary skill in this art at the time of invention was made to incorporate Helfman with the teaching of Ferguson – Altschuler because the combination would improve the latency for Ferguson – Altschuler's system by retrieving link contents at a set level prior to the actual access of the said web content, thus decreasing the retrieval time.

27. As per claims 11 and 42, Ferguson – Altschuler – Helfman disclose the invention substantially as rejected in claim 10 above, including reconfiguring said stored, further and additional hyperlinks to point to associated hypermedia documents stored in said cache (Ferguson, this is inherent, as cache get filled up with content retrieved prior to viewing, the link that is to be activated by the client would then be pointing to the cache for efficient retrieval, this is suggested in [0006]).

28. As per claims 13, 44, Ferguson – Altschuler – Helfman disclose the invention substantially as rejected in claim 1 above, including comprising adapting said cached hypermedia content for full text searching in a full text search engine (Helfman, Col. 6, lines 5-15).

29. Claims 3, 4, 23, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson – Altschuler, in view what was well known in the art (hereinafter WellKnown).

30. As per claims 3 and 34, Ferguson – Altschuler disclose the invention substantially as rejected in claim 1 above, including said presenting step comprises displaying Web content in a Web browser, said Web content containing hyperlinks to additional Web content (Ferguson, [0006]).

Ferguson does not explicitly teach:

said user selection being responsive to a right click mouse event on the selected hyperlink.

Official Notice is taken (see MPEP 2144.03) right mouse event on hyperlink selection is well

known and routinely used webpage event and access purposes at the time of the invention was made.

It would have been obvious to one of ordinary skill in the art to include right mouse click event with Ferguson – Altschuler in order to access the appropriate menus and commands for storing action.

31. As per claim 23, the claim is rejected for the same reasons as rejection to claim 3 above.

32. As per claim 4 and 35, Ferguson – Altschuler – WellKnown teaches the method of claim 3, wherein said presenting step further comprises playing back multimedia content in a multimedia content player (Ferguson, [0206]).

Response to Arguments

33. Applicant's remarks filed 01/13/2006 have been considered but are not persuasive in view of the new grounds of rejection necessitated by Applicant's amendment.

34. In the remarks, Applicant argued in substance that Ferguson – Altschuler does not teach establishing a set of folders having an associated topic or downloading hypermedia content to selected ones of set of folders.

In response to Applicant's remarks, Altschuler teaches pre-fetching of hypermedia content in order to predict what the user will select based on previous user selections (Col. 35, lines 33-42), the pre-fetched contents are grouped by categories or attributes, one sample of different attributes include 'sports' or 'news', each of these hypermedia contents will be pre-fetched and stored in cache for efficient access at a later point in time (Col. 38, lines 20-35); Altschuler teaches the concept of establishing a set of folders/categories/attributes having an associated topic and downloading said hypermedia content to selected ones of said set of folders, each folder in said set containing hypermedia content corresponding to a topic associated with said folder, (Altschuler, Col. 34, lines 5-21; Col. 38, lines 20-35; Col. 35, lines

Art Unit: 2152

33-40; Col. 34, lines 40-45, where the categories or 'attributes' are grouped together by their corresponding groups, i.e. sports and news groups are grouped separately)


35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "User Specified Parallel Data Fetching For Optimized Web Access".

- i. US 6,199,071 Nielsen.
- ii. WO 00/55741 Siegel.
- iii. EP 0987639 Moreau.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAROENCHONWANIT, BUNJOB can be reached on (571)272-3913. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

Application/Control Number: 09/715,453

Page 13

Art Unit: 2152

CZ

March 14, 2006